

10/530700

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
VOPA124990		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/DE03/03278	October 2, 2003	October 9, 2002
TITLE OF INVENTION		
METHOD AND DEVICE FOR THE NON-INVASIVE ANALYSIS OF METABOLIC PROCESSES		
APPLICANT(S) FOR DO/EO/US		
Herman HEINRICH and Klaus-Jürgen KURTH		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- ☒ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- ☒ 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ 4. The US has been elected (Article 31).
- ☒ 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - ☒ a. is attached hereto (required only if not communicated by the International Bureau).
 - ☒ b. has been communicated by the International Bureau.
 - ☐ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☒ 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

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- X 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- _____ a. are attached hereto (required only if not communicated by the International Bureau).
- _____ b. have been communicated by the International Bureau.
- _____ c. have not been made; however, the time limit for making such amendments has NOT expired.
- X d. have not been made and will not be made.
- _____ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- _____ 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- X 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

- _____ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- _____ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- X 13. A preliminary amendment.
- X 14. An Application Data Sheet under 37 C.F.R. 1.76.
- _____ 15. A substitute specification.
- _____ 16. A power of attorney and/or change of address letter.
- _____ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 – 1.825.
- _____ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- _____ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- X 20. Other items or information:
- X a. A copy of the International Search Report.
- X b. A copy of the International Preliminary Examination Report.

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The following fees are submitted:.				CALCULATIONS	
21. <u> X </u> a) Basic national fee..... \$300.00				\$300.00	
22. <u> X </u> b) Examination fee				\$200.00	
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00					
All other situations..... \$200.00					
23. <u> X </u> c) Search fee				\$400.00	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100.00					
International Search Report prepared and provided to the Office \$400.00					
All other situations..... \$500.00					
TOTAL OF ABOVE CALCULATIONS = \$1,000.00				\$900.00	
____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.				--	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate	--	
17 - 100 =	/50=		x \$250	\$--	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$--	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	10 - 20 =	0	x \$50.00	\$--	
Independent claims	1 - 3 =	0	x \$200.00	\$--	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$360.00	\$--	
TOTAL OF ABOVE CALCULATIONS =				\$900.00	
____ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$--	
SUBTOTAL =				\$900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$--	
TOTAL NATIONAL FEE =				\$900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				\$--	
TOTAL FEES ENCLOSED =				\$900.00	

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	Amount to be: refunded	\$
	Amount to be charged:	\$

- X a. Check No. 162701 in the amount of \$900.00 to cover the above fees is enclosed.
- X b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.


SEND ALL CORRESPONDENCE TO:

Customer No. 26389

Karen B. Blöchlinger
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Respectfully submitted,

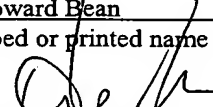
CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}


Karen Blöchlinger, Ph.D.
Registration No. 41,395
Direct Dial No. 206.695.1783

EXPRESS MAIL CERTIFICATE

Express Mail No.: EV 566977206 US
Date of Deposit: April 7, 2005

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Howard Bean
(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

KBB:cj

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JCO6 Rec'd PCT/PTO 07 APR 2005

VERIFICATION OF TRANSLATION

English Translation of
PCT/DE2003/003278 as originally filed

I, Andrea Wünsch, of Vossius & Partner, Siebertstr. 3, 81675 Munich, Germany, am the translator of PCT/DE2003/003278 as originally filed and I state that the following is a true translation to the best of my knowledge and belief.

(Signature of Translator)

A. Wünsch

(Date)

15/3/05